

## SENATE BILL No. 208

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-10-12.

**Synopsis:** Prior authorization for nursing home admissions. Requires an individual to receive prior approval from the office of Medicaid policy and planning before being admitted to a nursing facility under certain circumstances. Repeals a provision that establishes a penalty for not participating in preadmission screening before entering a skilled health facility.

**Effective:** July 1, 2007.

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**Dillon**

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January 8, 2007, read first time and referred to Committee on Health and Provider Services.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## SENATE BILL No. 208

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 12-10-12-6 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. If an individual who  
3 is discharged from a hospital licensed under IC 16-21:

4 (1) is admitted to a nursing facility after the individual has been  
5 screened under the nursing facility preadmission program  
6 described in this chapter; and

7 (2) is eligible for participation in the federal Medicaid program;  
8 prior approval of the individual's admission to the nursing facility ~~may~~  
9 ~~not be~~ is required by the office. ~~under IC 12-15-21-1 through~~  
10 ~~IC 12-15-21-3.~~

11 SECTION 2. IC 12-10-12-18 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 18. The office shall do  
13 the following:

14 (1) Review a screening team's finding.

15 (2) Make the final determination ~~only~~ in the following cases:

16 (A) Where the individual is eligible for Medicaid.

17 (B) Members of the screening team disagree.

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(C) A placement is denied.

**(D) Whenever prior approval is required under section 6 of this chapter.**

SECTION 3. IC 12-10-12-33 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 33. If an individual:

(1) does not participate in the health facility preadmission screening program described in this chapter; ~~or~~

(2) participates in the health facility preadmission screening program described in this chapter and is notified under section 20 of this chapter that the individual's placement in a health facility is not appropriate; ~~or~~

**(3) does not receive prior approval if the individual is required to receive prior approval under section 6 of this chapter;**

the individual is not eligible for assistance under the federal Medicaid program (42 U.S.C. 1396 et seq.) for the payment of any part of the cost per diem provided to the individual in a ~~part of a~~ health facility ~~certified as an intermediate care facility~~ for one (1) year after the date of the individual's admission to the health facility.

SECTION 4. IC 12-10-12-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 23. An applicant may apply to the office for a waiver of the sanctions imposed by section 33 ~~or 34~~ of this chapter if the following conditions are met:

(1) The applicant has made an appropriate application under section 7 of this chapter.

(2) The office has not provided the applicant with the notice required under section 20 of this chapter within twenty-five (25) days of the date the application was made under section 7 of this chapter.

(3) The applicant, the applicant's physician, and the applicant's current custodian have cooperated with the screening team.

SECTION 5. IC 12-10-12-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 24. If the office finds that an applicant has filed an application for a waiver and has met the three (3) conditions set out in section 23 of this chapter, the office shall, not later than the second working day following the receipt of the application for a waiver, either:

(1) issue the notice required by section 20 of this chapter; or

(2) waive the sanctions imposed by ~~sections~~ **section 33 and 34** of this chapter.

SECTION 6. IC 12-10-12-34 IS REPEALED [EFFECTIVE JULY 1, 2007].

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